

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

CEDRIC CARTER,

Petitioner,

-vs-

BETTY MITCHELL, Warden,

Respondent.

:

Case No. 1:98-cv-853

:

District Judge Thomas M. Rose  
Magistrate Judge Michael R. Merz

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**ORDER OF REFERENCE**

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This capital habeas corpus case is before the Court on remand from the Sixth Circuit Court of Appeals. *Carter v. Mitchell*, 693 F.3d 555 (6<sup>th</sup> Cir. 2012). The Mandate has issued (Doc. No. 157) and the time for seeking a writ of certiorari from the Supreme Court has expired. The case is therefore ripe for decision on the remanded issues.

Pursuant to the Dayton General Order of Assignment and Reference and 28 U.S.C. § 636(b), the reference of this case to United States Magistrate Judge Michael R. Merz continues. The Magistrate Judge is empowered to deal with all pretrial and post-judgment motions and procedures, whether dispositive or not, and to render a report and recommendations to the Court on any matters classified as dispositive by statute or precedent, including, without limitation, the remanded issues.

December 20, 2012.

*Thomas M. Rose*

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Thomas M. Rose, Judge  
United States District Court

